

B7 (Official Form 7) (12/07)

United States Bankruptcy Court  
District of Utah

In re Mount Holly Partners, LLC

Debtor(s)

Case No.

Chapter

09-27185

11

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

**"In business."** A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

**"Insider."** The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

1. Income from employment or operation of business

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT  
\$2,400,000.00

SOURCE  
Operation of Business 2009 to date = none  
Operation of Business 2007-2008 = \$2,400,000

2. Income other than from employment or operation of business

None  
☒

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

### 3. Payments to creditors

None ☒ Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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None ☒ b. *Debtor whose debts are not primarily consumer debts.* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None ☒ c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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### 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
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**See attachment S Item 4a**

None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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### 5. Repossessions, foreclosures and returns

None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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**See Attachment S Item 5**

# 6. Assignments and receiverships

- None ☒ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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- None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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# 7. Gifts

- None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
Jack Nicklaus Charity			\$80,000 donation as part of Charity Golf Event

# 8. Losses

- None ☒ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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# 9. Payments related to debt counseling or bankruptcy

- None ☒ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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# 10. Other transfers

- None ☐ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
See Attachment S Item 10a		

None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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**11. Closed financial accounts**

None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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**12. Safe deposit boxes**

None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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**13. Setoffs**

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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**15. Prior address of debtor**

None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
2340 E Phylden Dr. Holladay Utah 84117	Mount Holly Partners, LLC	2006 - July 2008
1405 South Main Salt Lake City, Utah 84108	Mount Holly Partners, LLC	Aug 2008 - Jan 2009

# 16. Spouses and Former Spouses

None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

# 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
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**18 . Nature, location and name of business**

None



a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
NAME				

None



b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

**19. Books, records and financial statements**

None



a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
<b>See Attachment S Item 19a</b>	

None



b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME	ADDRESS	DATES SERVICES RENDERED
<b>See Attachment S Item 19b</b>		

None



c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME	ADDRESS
<b>See Attachment S Item 19c</b>	

None ☒ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

**20. Inventories**

None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
RECORDS

**21 . Current Partners, Officers, Directors and Shareholders**

None ☐ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

**Ares Funding, LLC**  
**10462 Dimple Dell Rd**  
**Sandy, UT 84092**

**Membership Interest**

**80.35% (being disputed by MHU)**

**CPB Development, LLC**  
**5819 Kerry Circle**  
**Salt Lake City, UT 84107**

**Membership Interest**

**5.00% (Being disputed by MHU)**

**MHU Holdings, LLC**  
**24 West 40th Street 3rd Floor**  
**New York, NY 10018**

**Unitholder (disputing status - claims membership)**

**14.65% (disputing)**

None ☒ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE  
OF STOCK OWNERSHIP

**22 . Former partners, officers, directors and shareholders**

None ☒ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

None ☒ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

**23 . Withdrawals from a partnership or distributions by a corporation**

None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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**24. Tax Consolidation Group.**

None ☐ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER (EIN)
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**25. Pension Funds.**

None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

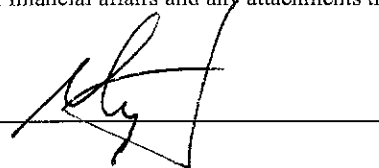
NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER (EIN)
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**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct to the best of my knowledge, information and belief.

Date August 6, 2009

Signature /s/ Stephen R. Jenson  
**Stephen R. Jenson**  
**President**



[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571*



**Debtor: Mount Holly Partners, LLC**

**ATTACHMENT S**  
**(TO STATEMENT OF FINANCIAL AFFAIRS)**

**Item 1. Income from employment or operation of business**

PERIOD	AMOUNT	SOURCE
2009 TO DATE	\$0	N/A
2007 AND 2008	Approx. \$2,400,000 (cash basis)	Sale of Charter Memberships in Mount Holly Club

**Item 4a. Suits and administrative proceedings, executions, garnishments and attachments**

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
<i>Save Beaver County, the Beaver River and Varied Estates (BRAVE) v. Beaver County et al.</i> , District Court No. 070500036, Court of Appeals No. 20070656	Request for Referendum Vote on Development Agreement; Debtor Intervened	Fifth District Court, Beaver County, Utah; Utah Supreme Court	Ruling Issued by Utah Supreme Court
<i>Dow Jones &amp; Company, Inc. v. Mount Holly Club, LLC</i> , 08 CV 01047	Claims for amounts owed for advertising services	Federal District Court, Southern District of New York	<del>stayed</del> ?
<i>Jack Johnson Company, Inc. v. Mount Holly Partners, LLC et al.</i> , Civil No. 080500058	Foreclosure of Mechanics Lien; Claims for amounts owed for services	Fifth District Court, Beaver County, State of Utah	Pending
<i>Risun Technologies, LC v. CPB Development, LC et al.</i> , Civil No. 080500051	Foreclosure of Mechanics Lien; Claims for amounts owed for services	Fifth District Court, State of Utah	Pending
<i>Ares Funding, LLC, and Mount Holly</i>	Claims by Ares Funding and Debtor for Breach of	American Arbitration Association, Salt Lake	Pending

<i>Partners, LLC v. MHU Holdings, LLC</i> , AAA Case No. 77 180 00251 08	Contract, Breach of Fiduciary Duties, Tortious Interference; Counterclaims of Derivative Nature for Alleged Misappropriation	City, UT	
<i>Shawn and Teresa Moore v. Mount Holly Partners, LLC</i> , Civil No. 080925390	Claims and counterclaims re fees for services	Third District Court, Salt Lake County, State of Utah	Dismissed With Prejudice
<i>Mount Holly Partners, LLC, et al. v. AMDS Holdings, LLC, et al.</i> , Case No. 2:09-cv-428	Injunctive Relief	Federal District Court, Utah	Relief denied on basis of jurisdiction; Dismissed
<i>Marc S. Jenson et al. v. AMDS Holdings, LLC, et al.</i> , Case No. CV-2009-440	Claims for Wrongful Foreclosure, Breach of Contract, Tortious Interference, etc.	Federal District Court, Idaho	Pending

**Item 5. Repossessions, foreclosures and returns**

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
Holladay Bank & Trust 2020 East 4800 South Salt Lake City, UT 84117	Feb. 2009	"Silverton" Parcels – approx. 9 acres; \$2,500,000 (estimated)
AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018	May 27, 2009*	"Resort Property" – Approx. 1,200 acres, including existing lodges and ski lifts, various condominiums, "Grizzley Ridge" lots, and water rights; \$40,000,000 (estimated)

\* Debtor believes this foreclosure to have been conducted wrongfully and intends to pursue claim to recover title to this property in reorganization.

**Item 10a. Other transfers**

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Timothy R. Bell Jennifer Bell 1405 S. Main St.	Mar. 2008	Charter Membership in Mount Holly Club*; Approx. \$600,000

Salt Lake City, Utah 84108 [Unrelated to Debtor]		
Jeffrey Donner Judee Donner [Unrelated to Debtor]	Dec. 2007	Charter Membership in Mount Holly Club*; \$1,500,000
Tracy J. Fox Nicolette Fox 3012 Mica Court Superior, Colorado 80027 [Unrelated to Debtor]	Mar. 2008	Charter Membership in Mount Holly Club*; \$300,000
Dale Holt 3150 South 900 West Salt Lake City, UT 84119 [Unrelated to Debtor]	Nov. 2007	Charter Membership in Mount Holly Club*; "Transfer in Payment" under Section 2.7(f) of Debtor's Operating Agreement
Alan Redd [Unrelated to Debtor]	Nov. 2007	Charter Membership in Mount Holly Club*; "Transfer in Payment" under Section 2.7(f) of Debtor's Operating Agreement
ROST Capital 807 E. Pacific Dr., Suite C American Fork, UT 84003 [Unrelated to Debtor]	Dec. 2007	Trust Deed Lien on "Commercial Parcels"; Loan to Debtor of approx. \$600,000

\* Charter members of Mount Holly Club are entitled to receive conveyance of title to a resort lot from Debtor. No lots have been conveyed to date.

**Item 15. Prior address of debtor**

ADDRESS	NAME USED	DATES OF OCCUPANCY
2340 E. Phyliden Dr. Holladay, Utah 84117	Mount Holly Partners, LLC	2006 to July 2008
1405 S. Main Salt Lake City, Utah 84108	Mount Holly Partners, LLC	August 2008 to January 2009

**Item 18. Nature, location and name of business**

NAME	TAXPAYER I.D. NO. (ITIN) /	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES

	COMPLETE EIN			
MOUNT HOLLY CLUB, LLC		Same as Debtor	Private Ski and Golf Club	2006 to Present

**Item 19a. Books, records and financial information**

NAME AND ADDRESS	DATES SERVICES RENDERED
Fitzgerald & Company, LLC Attn: Ken Fitzgerald 6076 South 900 East, Ste. 100 Salt Lake City, UT 84121	2006 to July 2009
Todd McGuire 2839 W. Shady Bend Lane Lehi, UT 84043	2006 to January 2009

**Item 19b. Books, records and financial information**

NAME AND ADDRESS	DATES SERVICES RENDERED
Shanholt Glassman Klein Kramer & Co. Certified Public Accountants P.C. 575 Lexington Ave., 19 <sup>th</sup> Floor New York, New York 10022	2007*

\*Audits were never completed or issued due to failure of CPA firm to obtain confirmation of debt owed from one or more creditors of Debtor.

**Item 19c. Books, records and financial information**

NAME	ADDRESS
Fitzgerald & Company, LLC Attn: Ken Fitzgerald	6076 South 900 East, Ste. 100 Salt Lake City, UT 84121
Todd McGuire	2839 W. Shady Bend Lane Lehi, UT 84043

Stephen R. Jenson	10462 Dimple Dell Rd. Sandy, UT 84092

**Item 21. Current Partners, Officers, Directors and Shareholders**

NAME AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
ARES FUNDING, LLC 10462 Dimple Dell Rd. Sandy, UT 84092	Membership Interest; Sole Manager	80.35%*
CPB DEVELOPMENT, LC 5819 Kerry Circle Murray, UT 84107	Membership Interest	5.00%*
MHU HOLDINGS, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018	Membership Interest	14.65%*

\* Percentage Interests of the Members of Debtor are currently being disputed by the Members.

**United States Bankruptcy Court**  
**District of Utah**

In re Mount Holly Partners, LLC

Debtor

Case No. 09-27185Chapter 11

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	50,000,000.00		
B - Personal Property	Yes	4	90,000,100.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	1		20,192,442.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		625,000.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		66,097,204.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedules		11			
Total Assets			140,000,100.00		
Total Liabilities				86,914,646.00	

**United States Bankruptcy Court**  
**District of Utah**

In re **Mount Holly Partners, LLC**

Debtor

Case No. \_\_\_\_\_

Chapter 11

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

**State the following:**

Average Income (from Schedule I, Line 16)	
Average Expenses (from Schedule J, Line 18)	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		
4. Total from Schedule F		
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		

In re **Mount Holly Partners, LLC**Case No. 09-27185

Debtor

**SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Former "Elk Meadows" Ski Resort, approx. 1200 acres, Beaver Utah	Constructive Trust Beneficiary	-	40,000,000.00	Unknown
Mount Holly "Commercial" property, 4 lots, approx 17 acres, Beaver County, Utah	Fee Ownership	-	3,000,000.00	700,000.00
Puffer Lake, approx. 700 acres, Beaver County, Utah	Fee Title subject to Trust Deed	-	7,000,000.00	7,000,000.00
"ASK" Property Approx <u>65</u> acres and water rights	Contract to purchase fee title	-	Unknown	0.00

Sub-Total > **50,000,000.00** (Total of this page)Total > **50,000,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property



**Debtor: Mount Holly Partners, LLC**

**ATTACHMENT A**  
**(TO SCHEDULE A – REAL PROPERTY)**

<b>DESCRIPTION AND LOCATION OF PROPERTY</b>	<b>NATURE OF DEBTOR'S INTEREST IN PROPERTY</b>	<b>CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIMS OR EXEMPTION</b>	<b>AMOUNT OF SECURED CLAIMS</b>
"Resort Property" – Approx. 1,200 acres, including existing lodges and ski lifts, various condominiums, "Grizzly Ridge" lots, and water rights	Fee title until May 27, 2009, when wrongful foreclosure sale occurred; Debtor intends to pursue claim to recover title to this property in reorganization	\$40,000,000 (estimated)	Approx. \$20,000,000 (\$18,000,000 of which is Disputed)
"Puffer Lake Property" – Approx. _____ acres – together with certain water rights	Fee title	\$7,000,000 (estimated)	Approx. \$7,000,000
"ASK" Property – Approx. _____ acres, and water rights	Debtor holds contractual right to acquire fee title	Nominal	None
Various "Commercial Parcels"	Fee Title	\$3,000,000 (estimated)	Approx. \$700,000

B6B (Official Form 6B) (12/07)

In re **Mount Holly Partners, LLC**Case No. 09-27185

Debtor

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	X			
3. Security deposits with public utilities, telephone companies, landlords, and others.	Uncertain		-	Unknown
4. Household goods and furnishings, including audio, video, and computer equipment.	X			
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			

Sub-Total > **0.00**  
(Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Mount Holly Partners, LLC**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14. Interests in partnerships or joint ventures. Itemize.		Mount Holly Club, LLC	-	Unknown
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.	X			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

Sub-Total > **0.00**  
(Total of this page)

Sheet 1 of 3 continuation sheets attached  
to the Schedule of Personal Property

In re **Mount Holly Partners, LLC**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Claims for damages and equitable relief, fraud and punitive damages for impermissibly foreclosing against "Elk Meadows" Property -- against MHU Holdings LLC, AMDS Holdings LLC, Bridlepath LLC, ROW-XE LLC, OJVMM LLC, XE REH, XE SOF, XE LIFE, Arche XEC Ltd, XE Capital LLC, Archimedes Holdings LLC, Shane Gadbaw, Robert O'Neel, and various John Does	-	50,000,000.00
		Claims for damages for breach of contract, etc., against American Arbitration Association	-	40,000,000.00
22. Patents, copyrights, and other intellectual property. Give particulars.		Various trademarks relating to the name Mount Holly	-	Unknown
23. Licenses, franchises, and other general intangibles. Give particulars.		Various websites, URLs, etc.	-	Unknown
		Various development documents, plans, studies, Development Agreement with Beaver County,	-	Unknown
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		20 + year old Snow Cat	-	Unknown
		20+ year old bus	-	Unknown
26. Boats, motors, and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.		Filing cabinets	-	100.00
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
Sub-Total >				90,000,100.00
(Total of this page)				

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Mount Holly Partners, LLC**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

Sub-Total > **0.00**  
(Total of this page)  
Total > **90,000,100.00**

Sheet **3** of **3** continuation sheets attached  
to the Schedule of Personal Property

(Report also on Summary of Schedules)

Case No. 09-27185

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

0 continuation sheets attached

**Debtor: Mount Holly Partners, LLC**

**ATTACHMENT D**

**(TO SCHEDULE D – CREDITORS HOLDING SECURED CLAIMS)**

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER	C O D E B T O R	DATE CLAIM WAS INCURRED, NATURE OF LIEN AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I T E D	D I S T I N G U I S H E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018	X	October 2006; Trust Deed Lien secured by "Resort Property" worth approx. \$40,000,000; original lender SFNM- Saddleback, LLC	X		X	Approx. \$13,000,000	Disputed contingent portion
Beaver County 105 E. Center Beaver, Utah 84713		2008 Real Property Taxes; Land Bond for construction of improvements; secured by "Resort Property" worth approx. \$40,000,000	X			Approx. \$56,248 (taxes);  Bonded amt. approx. \$17,000,000	
Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018	X	October 2006; Trust Deed Lien secured by "Resort Property" worth approx. \$40,000,000; original lender SFNM- Saddleback, LLC	X		X	Approx. \$5,000,000 plus interest	
Keith Christensen / Waddingham Trust 2990 Main Street Salt Lake City, UT 84115		2006; trust deed securing property seller financing					
Elk Meadows Special Service District P.O. Box 1796		2008 Assessments; Land Bond for construction of	X			Approx. \$102,194 (Assessments);	

Beaver, Utah 84713		improvements; secured by "Resort Property" worth approx. \$40,000,000			Bonded amt. approx. \$17,000,000 (same obligation as for Beaver County above)	
Jack Johnson Engineering 1777 Sun Peak Drive Park City, UT 84098		2006 / 2007; mechanics lien; secured by "Resort Property" worth approx. \$40,000,000*		X	Approx. \$261,000	
Pearson Law, P.C. 10421 S. Jordan Gateway, Ste. 600 Salt Lake City, UT 84095	X	2006 to July 2009; trust deed securing fees for legal services; secured by "Resort Property" worth approx. \$40,000,000*			Approx. \$550,000	Additional contingent unknown**
Risun Technologies 357 West 6160 South Murray, UT 84107		2006 / 2007; mechanics lien; secured by "Resort Property" worth approx. \$40,000,000*		X	Approx. \$523,000	
ROST Capital 807 E. Pacific Dr., Suite C American Fork, UT 84003		Dec. 2007; trust deed securing loan; secured by "Commercial Parcels" worth approx. \$3,000,000			Approx. \$700,000	

\* The "Resort Property" was conveyed in May 2009 by Trustee's Deed to AMDS Holdings, LLC, following a foreclosure sale which Debtor believes to have been wrongfully conducted. The security interest of each noted creditor was eliminated by virtue of the foreclosure sale. Debtor intends to pursue claim to recover title to this property in reorganization and intends to restore the respective security interests of such noted creditors as part of the reorganization.

\*\* Debtor promised to deliver to creditor a single lot and Club membership following availability of lots, pursuant to Section 2.7(g) of Debtor's Operating Agreement.



In re **Mount Holly Partners, LLC**

Case No. 09-27185

Debtor

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### ☐ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### ☐ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### ☒ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### ☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### ☐ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### ☐ Deposits by individuals

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### ☐ Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### ☐ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

#### ☐ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6E (Official Form 6E) (12/07) - Cont.

In re **Mount Holly Partners, LLC**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Wages, salaries, and commissions**

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
								AMOUNT ENTITLED TO PRIORITY
Account No.  <b>James Ruddy unknown</b>			<b>Jan - Feb 2009  Wages</b>					<b>Unknown</b>
							<b>Unknown</b>	<b>Unknown</b>
Account No.  <b>Stephen Jenson 2046 E Normandy Woods Court Salt Lake City, UT 84117</b>			<b>Dec 2006 - Filing  Salary as CEO</b>					<b>589,050.00</b>
							<b>600,000.00</b>	<b>10,950.00</b>
Account No.  <b>Todd McGwire 2839 W Shady Bend Lane Lehi, UT 84043</b>			<b>Jan - Feb 2009  wages</b>					<b>Unknown</b>
							<b>25,000.00</b>	<b>Unknown</b>
Account No.  								
Account No.  								
Subtotal (Total of this page)							<b>625,000.00</b>	<b>589,050.00 10,950.00</b>
Total (Report on Summary of Schedules)							<b>625,000.00</b>	<b>589,050.00 10,950.00</b>

Sheet 1 of 1 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

B6F (Official Form 6F) (12/07)

In re **Mount Holly Partners, LLC**

Case No. **09-27185**

Debtor

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
See Attachment F						0.00
Account No.						
Account No.						
Account No.						
Subtotal (Total of this page)						0.00
Total (Report on Summary of Schedules)						0.00

0 continuation sheets attached

**Debtor: Mount Holly Partners, LLC**

**ATTACHMENT F**  
**(TO SCHEDULE F –**  
**CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS)**

<b>CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER</b>	<b>C O D E B T O R</b>	<b>DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE</b>	<b>C O N T I N G E N T</b>	<b>U N C O N D I T I O N A L L Y</b>	<b>D I S P U T E D</b>	<b>AMOUNT OF CLAIM</b>
Allstate Insurance Company		Insurance				Approx. \$271
American Arbitration Association 6795 N. Palm Ave. 2nd Floor Fresno, CA 93704	X	Arbitration Fees				<
AmeriGas 2865 West Highway 56 Cedar City, UT 84720		Trade Debt				Approx. \$331
Anzalone Pumps 3632 North 250 East Cedar City, UT 84721		Services and Materials				Approx. \$35,000
Applied Geotechnical Engineering 600 W. Sandy Parkway Sandy, UT 84070		Trade Debt				Approx. \$6,802
Aqua Engineering, Inc. 533 W 2600 S #275 Bountiful, UT 84010		Trade Debt				Approx. \$8,879
Ares Funding, LLC 10462 Dimple Dell Rd. Sandy, UT 84092		Loans; Pre-organization financing as per Operating Agreement				Approx. \$12,000,000
Automated Business Products 385 West 2880 South		Trade Debt				Approx. \$190

SLC, UT 84115					
Bank of Utah 9320 South State Street Sandy, UT 84070	Credit Card				Approx. \$937
Barnett Intermountain Water Consulting 106 W 500 South, Suite 101 Bountiful, UT 84010	Services				Approx. \$46,500
Bell Property Management, LLC 1405 S. Main St. Salt Lake City, Utah 84108	Office Lease				
Timothy R. Bell Jennifer Bell 1405 S. Main St. Salt Lake City, Utah 84108	Charter Member of Mount Holly Club				Approx. \$600,000 (deliver 1 lot)**
Anjee Brazelton					Approx. \$150
Michael Brazelton					
Brooks Advertising 262 Davis Lane Lehi, UT 84043	Services				Approx. \$19,875
Mitchell D. Burton / Mitchell D. Burton Construction 10918 Town Center Road American Fork, UT 84003	Trade Debt				
Cascade Water Resources 472 Wasatch Way Park City, UT 84098	Trade Debt				Approx. \$9,233
Central Office Suppliers	Trade Debt				Approx. \$165
Chemtech - Ford Laboratories 6100 Stratler Street Salt Lake City, UT 84107	Trade Debt				Approx. \$5,830
Kathi Christman	Services				Approx. \$240
Cintas 2612 Constitution Blvd # A Salt Lake City, UT 84119	Trade Debt				Approx. \$52
Colton Capital Partners, LLC / Steven J. Hansen	"Transfer in Payment" identified in Section 2.7(f) of Debtor's Operating Agreement			X	Approx. \$1,000,000 (deliver 1 lot)

CPB Development, LC 5819 Kerry Circle Murray, UT 84107		Development services and advancement of costs				Approx. \$176,000
Ellery Crossman		Services				
Curtco Publishing One Acton Place Acton, MA 01720		Advertising			X	Approx. \$155,000
D & D Aviation 470 North 2400 West #2 Salt Lake City, UT 84116		Trade Debt				Approx. \$1,680
Don Brady Design 1301 South 2100 East Salt Lake City, UT 84108		Trade Debt				Approx. \$350,000
Jeffrey Donner Judee Donner		Charter Member of Mount Holly Club				\$1,500,000 (deliver 1 lot)**
Dow Jones Co. 1155 Avenue of the Americas New York, NY 10036		Advertising			X	Approx. \$505,000
Eastmont Enterprises 5819 Kerry Circle Murray, UT 84107		Loans				Approx. \$990,970
The Exoro Group 10 West 100 South, Suite 300 Salt Lake City, UT 84101		Services				Approx. \$256,000
FedEx		Trade Debt				Approx. \$218
First American Title Insurance Company		Trade Debt				Approx. \$75
Fitzgerald & Company, LLC 6076 South 900 East, Ste. 100 Salt Lake City, UT 84121		Accounting services				Approx. \$1,825
Foundations Real Estate and Construction 5281 S. Holladay Blvd. Holladay, UT 84117		Real estate brokerage			X	\$50,000 plus interest
Tracy J. Fox Nicolette Fox 3012 Mica Court Superior, Colorado 80027		Charter Member of Mount Holly Club				Approx. \$300,000 (deliver 1 lot)**
Les Gale						Approx. \$800
Brandon Gilbert						

Great American Leasing Corp. 1-800-234-8787	Trade Debt				Approx. \$1,192
Great Basin Planning Services, LLC	Trade Debt				Approx. \$7,363
Hamilton Communications Services, Inc.	Trade Debt				Approx. \$1,451
Henrie's Earth Moving, Inc. PO Box 100 Minersville, UT 84752	Construction Services				Approx. \$2,340
Highland Golf 431 West 300 North Salt Lake City, UT 84103	Trade Debt				Approx. \$32,126
Holland & Knight LLP 2099 Pennsylvania Avenue, N.W., Suite 100 Washington, DC 20006	Legal Services				Approx. \$5,434
Dale Holt 3150 South 900 West Salt Lake City, UT 84119	Charter Member of Mount Holly Club				Approx. \$1,000,000 (deliver 1 lot)**
Integra Telecom 265 East 100 South Suite 200 Salt Lake City, UT 84111	Trade Debt				Approx. \$2,345
Interform 1264 West 50 South Centerville, UT 84014	Trade Debt				Approx. \$270,000
Jack Nicklaus Performance Solutions	Trade Debt				Approx. \$10,741
Jack's Installations	Trade Debt				Approx. \$107
JCC, LTD	Trade Debt				Approx. \$137
Marc S. Jenson c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	Consulting Services; Loans				Approx. \$1,000,000
Stephen R. Jenson 10462 Dimple Dell Rd. Sandy, UT 84092	Services; Loans				Approx. \$500,000
Jim Riley Engineering, LC 265 E 100 S Suite 300 Salt Lake City, UT 84111	Trade Debt				Approx. \$700

Jones & Stokes 1935 East Vine Street Suite 250 Salt Lake City, UT 84121	Trade Debt				Approx. \$16,999
KeyBank	Credit Card				Approx. \$697
Kick Technologies 450 S 400 E Bountiful, UT 84010	Trade Debt				Approx. \$3,625
Kirton & McConkie 1800 Eagle Gate Tower 60 East South Temple Salt Lake City, Utah 84145	Legal services				Approx. \$17,993
Lewis and Roca LLP 40 North Central Ave., Suite 1900 Phoenix, AZ 85004	Legal services				Approx. \$499
Ted Ligety / US Ski Team 600 Corporate Plaza 76 St. Paul Street Burlington, VT 05401	Services				Approx. \$250,000
Litchfield Capital, LLC 1635 N. Greenfield Rd. Suite 115 Mesa, AZ 85205	Property Acquisition Financing	X			\$35,000,000
Luxury Living Magazine 3070 Rasmussen Rd., Suite 290 Park City, UT 84098	Advertising				Approx. \$55,400
Magleby & Greenwood 170 S. Main St. Salt Lake City, UT 84101	Legal services				Approx. \$31,900
Todd McGuire 2839 W. Shady Bend Lane Lehi, UT 84043	Services				
The Memorial Tournament	Trade Debt				Approx. \$7,500
Miller & Wrubel P.C. 570 Lexington Avenue New York, New York 10022	Legal services				
MHU Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018	Loans			X	Approx. \$2,700,000, plus interest
Shawn Moore Teresa Moore 167 N. Mountain Vistas Rd.	Services	X			\$100,000



Kaysville, UT 84037						
MSF Properties, L.C. c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702		Loans				Approx. \$750,000
Paul Nelson 11378 Willow Hill Dr. Sandy, UT 84092		Services				
Nicklaus Children's Healthcare Foundation		Charitable Pledge by Debtor				Approx. \$1,000
Nicklaus Companies 11780 US Highway One, Suite 500 North Palm Beach, FL 33408		Contracted Services				Approx. \$45,000
Nimbus Loan Fund, LLC c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702		Loan				Approx. \$4,072,000 plus interest
Robert W. O'Neel, III 712 5th Avenue, 45th Floor New York, NY 10019		Loan			X	\$1,300,000 plus interest
Parsons Behle & Latimer 201 South Main St., Suite 1800 Salt Lake City, UT 84111		Legal services				Approx. \$2,211
PBC Print & Promo of California, LP 16307 Wikiup Rd. Ramona, CA 92065		Trade Debt				Approx. \$632
Joey Perez						
Peterson Family Trust Bicknell, UT 84715	X	Loan				
Phillips 66 / Conoco76		Trade Debt				Approx. \$722
Pitney Bowes		Trade Debt				Approx. \$167
Quality Plumbing & Heating 1697 W 2100 N Lehi, UT 84043		Trade Debt				Approx. \$62
Qwest		Trade Debt				Approx. \$2,396
Red Olive 1124 W South Jordan Pkwy #C South Jordan, UT 84095		Trade Debt				Approx. \$180

Alan Redd	Charter Member of Mount Holly Club				Approx. \$1,000,000 (deliver 1 lot)**
Rocky Mountain Power	Trade Debt				Approx. \$358
James Ruddy	Services				
Saxon & Gilmore 518 S Magnolia Ave. Orlando, FL 32801	Legal Services				Approx. \$37,700
SCS Vinyl Works 7663 Lodgepole Ln. Bozeman, MT 59718	Trade Debt				Approx. \$105
Security Title Company of Beaver County 5 South Main Street Beaver, UT 84713	Trade Debt				Approx. \$224
SendOutCards	Trade Debt				Approx. \$653
Smith Hartvigsen PLLC 215 South State Street, Ste. 650 Salt Lake City, UT 84111	Legal Services				Approx. \$238,000
Stonewood Homeowners Association	Homeowners Association Dues				Approx. \$660
The Bear's Club	Trade Debt				Approx. \$251
Thomas Turf Services 11183 State Highway 30 College Station, TX 77845	Trade Debt				Approx. \$721
Peter Torres 2174 Yuma Street Salt Lake City, UT 84109	Services				
Trophy Mountain Homes P.O. Box 1959 Beaver, UT 84713	Construction services				Approx. \$60,000
US Bank	Credit card				Approx. \$874
Utah Jazz 301 W. South Temple Salt Lake City, UT 84101	Marketing promotions				Approx. \$11,724
Weber/North Davis Association of Realtors 5703 South 1475 East Suite 1 South Ogden, UT 84403	Trade Debt				Approx. \$70

Wise Earth		Trade Debt				Approx. \$5,030
Wooded Ridge Homeowners Association		Homeowners Association Dues				Approx. \$8,150

\* Section 2.7(f) of Debtor's Operating Agreement entitles Ares Funding, LLC, to convey to itself or to third parties up to \$24,000,000 in lots from Debtor's planned ski and golf resort, for the purpose of addressing pre-organization obligations as set forth therein. Ares Funding, LLC, has informed the Debtor of an aggregate of approximately \$10,000,000 in "Transfer in Payment" entitlements under this provisions and has identified the following persons / entities as among those who are entitled to the benefit of this provision: Bruce Austin, Scott Barlow, John Brennan, Lewis Clark, Cyndi Flannigan & Roger Martin, Steve Gerson, Peter Grumhaus, Tim Hornback, Mark Jander, Bob Kren, Eric Margarida, Dave Markowski, Michael Millhollan, Rod Strange, Linda Wasserman and Kevin Weir.

\*\* Charter members of Mount Holly Club are entitled to receive conveyance of title to a resort lot from Debtor.

66,097,204

B6G (Official Form 6G) (12/07)

In re Mount Holly Partners, LLC

Case No. 09-27185

Debtor

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract	Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.
Beaver County	Development Agreement
Christensen Family Trust	To purchase Water Rights
Litchfield Capital	To buy Real Estate and Water Rights
Nicklaus	Golf course design
Ted Ligety	Endorsement Contract

B6H (Official Form 6H) (12/07)

In re **Mount Holly Partners, LLC**

Case No. 09-27185

Debtor

## SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

**See Attachment H**

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continuation sheets attached to Schedule of Codebtors

**Debtor: Mount Holly Partners, LLC**

**ATTACHMENT H**  
**(TO SCHEDULE H – CODEBTORS)**

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Nimbus Capital Partners, LLC c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
CPB Development, LC 5819 Kerry Circle Murray, UT 84107	AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Craig P. Burton 5819 Kerry Circle Murray, UT 84107	AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Marc S. Jenson c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Stephen R. Jenson 10462 Dimple Dell Rd. Sandy, UT 84092	AMDS Holdings, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Nimbus Capital Partners, LLC c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
CPB Development, LC 5819 Kerry Circle Murray, UT 84107	Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Craig P. Burton 5819 Kerry Circle Murray, UT 84107	Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Marc S. Jenson c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018

Stephen R. Jenson 10462 Dimple Dell Rd. Sandy, UT 84092	Bridlepath, LLC 24 West 40 <sup>th</sup> Street 3 <sup>rd</sup> Floor New York, NY 10018
Ares Funding, LLC 10462 Dimple Dell Rd. Sandy, UT 84092	Pearson Law, P.C. 10421 S. Jordan Gateway, Ste. 600 Salt Lake City, UT 84095
Marc S. Jenson c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	Pearson Law, P.C. 10421 S. Jordan Gateway, Ste. 600 Salt Lake City, UT 84095
Ares Funding, LLC 10462 Dimple Dell Rd. Sandy, UT 84092	American Arbitration Association 6795 N. Palm Ave. 2nd Floor Fresno, CA 93704
MSF Properties, L.C. c/o Wade Woodard, Esq. 802 W. Bannock, Suite 500 Boise, ID 83702	Peterson Family Trust Bicknell, UT 84715

**United States Bankruptcy Court  
District of Utah**In re Mount Holly Partners, LLC

Debtor(s)

Case No.

Chapter

09-27185  
11**DECLARATION CONCERNING DEBTOR'S SCHEDULES**

## DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 13 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date August 6, 2009

Signature

  
Stephen R. Jensen  
President

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.